

Resolution No.: 16-1237
Introduced: January 12, 2010
Adopted: January 12, 2010

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Executive Regulation 20-09, *Formal Solicitation Copy Fees*

Background

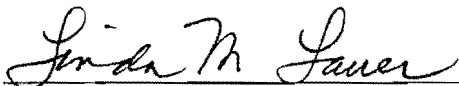
1. Executive Regulation 20-09 would modify the County's formal solicitation copy fees by:
 - (a) eliminating the minimum copy fee for electronic copies of non-construction solicitations; and
 - (b) substituting references to the Department of General Services for current references to the Office of Procurement.
2. On December 10, 2009 the County Council received Executive Regulation 20-09, Formal Solicitation Copy Fees, from the County Executive.
3. The Council reviewed the regulation under Method (1) of §2A-15 of the County Code. Under Method (1), a regulation is not adopted until the Council approves it. The regulation takes effect upon adoption of the resolution approving it or on a later date specified in the resolution.

Action

The County Council for Montgomery County, Maryland, approves the following resolution:

Executive Regulation 20-09, *Formal Solicitation Copy Fees*, is approved.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject Formal Solicitation Copy Fees	Number 20-09
Originating Department Department of General Services	Effective Date January 12, 2010

Montgomery County regulation on:

FORMAL SOLICITATION COPY FEES

Issued by: County Executive

Regulation No. 20-09

Authority: Chapter 11B, Montgomery County Code

Supersedes: Regulation 23-03

Council Review: Method (1) under Code Section 2A-15

Register Vol. 26, Issue 10

Comment deadline: October 31, 2009

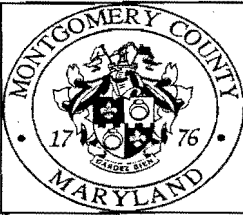
Sunset Date: None.

Summary: This regulation establishes the circumstances in which a fee is imposed for copies of solicitation materials under the procurement process.

Address for comments: Karen L. Federman Henry
Executive Office Building
Third Floor
101 Monroe Street
Rockville, Maryland 20850

Staff contact: Karen L. Federman Henry
(204) 777-6700
Karen.Federman-Henry@montgomerycountymd.gov

Background Information: This regulation implements Chapter 11B, Montgomery County Code.



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

Subject Formal Solicitation Copy Fees	Number 20-09
Originating Department Department of General Services	Effective Date

A. Formal Solicitation Copy Fees

1. Minimum Copy Fee

A minimum copy fee of \$10.00 is required for paper copies of each formal solicitation, which includes any amendments. There is no minimum copy fee for electronic copies of formal non-construction solicitations issued by the County, which includes any amendments.

2. Variable Copy Fee

A variable copy fee is required for construction plans and specifications, which includes the minimum copy fee. The variable copy fee will be certified by the using agency or department to the Department of General Services, Office of Procurement, based upon the costs associated with preparing and printing of construction plans and specifications for each procurement.

B. Formal Solicitation Amendments

1. No fee.

C. General

1. Payment

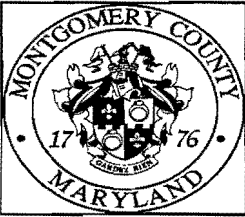
All required copy fees must be paid in full before a copy of the formal solicitation is released to the person requesting the solicitation material. Each request for a new formal solicitation must be accompanied by the full applicable copy fee.

2. Refunds

Minimum and variable copy fees are not refundable under any circumstances, including cancellation of a solicitation.

3. Transfers

Minimum and variable copy fees are not transferable.



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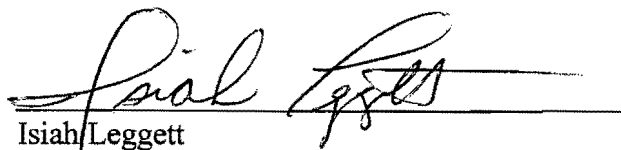
4. Waiver of Fees

The Director, Department of General Services, or the Division Chief of the Office of Procurement may waive the minimum and variable formal solicitation copy fees under the following conditions:

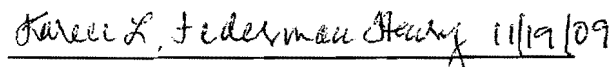
- a. competition would be unduly restricted;
- b. undue hardship would be caused to minority owned businesses as defined in the Montgomery County Code; or
- c. when it is in the best interest of the County.

D. **Severability**

If a court holds that part of this regulation is invalid, the invalidity does not affect other parts.


Isiah Leggett
County Executive

Approved as to form and legality:


Office of the County Attorney/Date